

SERVED JANUARY 5, 2009



DEPT. OF TRANSPORTATION
DOCKETS

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U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF HEARINGS
WASHINGTON, DC

IN THE MATTERS OF

VELOCITY AIR, INC.

FAA Docket No. CP07WP0009
DMS No. FAA-2007-28193

FAA Docket No. CP08WP0008
DMS No. FAA-2008-0240

FAA Docket No. CP08WP0006
DMS No. FAA-2008-0242

(Civil Penalty Actions)

**NEW MEXICO FLYING EAGLE, INC.
d/b/a ARIZONA AERO-TECH**

FAA Docket No. CP08WP0007
DMS No. FAA-2008-0381

FAA Docket No. CP08WP0018
DMS No. FAA-2008-1055

(Civil Penalty Actions)

ORDER OF DISMISSAL

On May 25, 2007, March 21, 2008, and April 17, 2008, the Federal Aviation Administration (hereinafter referred to as "Complainant") filed Complaints in the three Velocity Air, Inc. cases captioned above (Docket Nos. CP07WP0009, CP08WP0008, and CP08WP0006, respectively), and on April 17, 2008 and October 2, 2008, Complainant filed Complaints in the two above-captioned New Mexico Flying Eagle, Inc. cases (Dockets CP08WP0007 and CP08WP0018, respectively). On May 22, 2007 (No. CP07WP0009) and March 18, 2008 (Nos. CP08WP0008 and CP08WP0006), Velocity

Air, Inc. filed Requests for Hearing. On March 18, 2008, and October 1, 2008, New Mexico Flying Eagle, Inc. d/b/a Arizona Aero-Tech filed Requests for Hearing in Docket Nos. CP08WP0007 and CP08WP0018, respectively. The cases were consolidated for hearing by Order dated November 3, 2008.

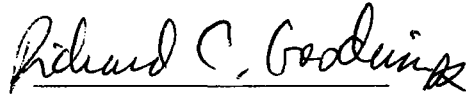
On December 30, 2008, Complainant requested that its Complaints in each of these five cases be withdrawn, citing settlement.

14 C.F.R. § 13.215 states: "At any time before or during a hearing, an agency attorney may withdraw a complaint or party may withdraw a request for a hearing without the consent of the administrative law judge. If an agency attorney withdraws the complaint or a party withdraws the request for a hearing and the answer, the administrative law judge shall dismiss the proceedings under this subpart with prejudice."

WHEREFORE, the within filed Request to Withdraw Complaints having been read and considered, it is ORDERED as follows:

1. Complainant's Requests to Withdraw Complaint be and are hereby granted; and
2. These proceedings be and are hereby dismissed with prejudice.

SO ORDERED.


Richard C. Goodwin
Administrative Law Judge

Attachments - Service Lists

FAA Docket Nos. CP07WP0009
CP08WP0008, CP08WP0006,
CP08WP0007 & CP08WP0018
(Civil Penalty Action)

SERVICE LIST

ORIGINAL & ONE COPY

Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591
Attention: Hearing Docket Clerk, AGC-430,
Wilbur Wright Building—Suite 2W1000¹

ONE COPY

Timothy M. Amalong, President
Velocity Air, Inc.
d/b/a Designator V6YR
6961 S. Apron Dr.
Tucson, AZ 85706

Timothy I. McCulloch, Esq.
Baird Williams & Greer, LLP
6225 N. 24th St., Suite 125
Phoenix, AZ 85016
FAX: ((602) 265-4716

Mark G. Camacho, Attorney
Federal Aviation Administration
Office of the Regional Counsel
Central Region, ACE-7
Room 506, DOT Building
901 Locust
Kansas City, MO 64106-2641
TEL: (816) 329-3765
FAX: (816) 329-3771

The Honorable Richard C. Goodwin
Administrative Law Judge
Office of Hearings, M-20th
U.S. Department of Transportation
1200 New Jersey Avenue, S.E.
East Building, Ground Floor
Room E12-320
Washington, DC 20590
TEL: Attorney-Advisor (202) 366-2139; Legal Assistant 6-5121 FAX: (202) 366-7536

¹ Service was by U.S. Mail. For service in person or by expedited courier, use the following address: Federal Aviation Administration, 600 Independence Avenue, S.W., Wilbur Wright Building—Suite 2W1000, Washington, DC 20591; Attention: Hearing Docket Clerk, AGC-430.